

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

AYKUT PILAK,

Plaintiff,

v.

UBER TECHNOLOGIES,

Defendant.

No. 4:25-cv-00400-RHH

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on self-represented plaintiff Aykut Pilak’s application to proceed in the district court without prepaying fees and costs. Based on the financial information contained in the application, the Court will grant the application. Additionally, the Court will dismiss plaintiff’s employment discrimination complaint without prejudice to refiling once plaintiff receives his EEOC right-to-sue letter.

Plaintiff files this complaint under Title VII of the Civil Rights Act of 1964, alleging his employer, defendant Uber Technologies, has discriminated against him based on his race and national origin. He states that he filed a charge of discrimination against defendant with the EEOC on September 24, 2024, but he has not received a notice of right-to-sue letter.

“In order to initiate a claim under Title VII a party must timely file a charge of discrimination with the EEOC and receive a right-to-sue letter.” *Stuart v. General Motors Corp.*, 217 F.3d 621, 630 (8<sup>th</sup> Cir. 2000). Receiving the letter is a “prerequisite[] to maintenance of a Title VII action in federal court.” *Houston v. St. John’s Mercy Skilled Nursing Ctr.*, 37 F.3d 1503 (8<sup>th</sup> Cir. 1994) (per curiam table decision); *accord Jones v. Am. State Bank*, 857 F.2d 494, 499 (8<sup>th</sup> Cir.

1988) (holding that receipt of a right-to-sue notice is “a condition precedent to a filing of a Title VII claim”).

Plaintiff has not received his right-to-sue letter, and thus has not fulfilled the prerequisite to bringing his suit under Title VII. For this reason, and to preserve judicial resources, the Court will dismiss plaintiff’s claim without prejudice to refiling after he has received his EEOC right-to-sue letter.

Accordingly,


**IT IS HEREBY ORDERED** that plaintiff’s application to proceed in the district court without prepaying fees or costs is **GRANTED**. [ECF No. 2]

**IT IS FURTHER ORDERED** that plaintiff’s claims are **DISMISSED without prejudice** to refiling once plaintiff receives his EEOC right-to-sue letter.

**IT IS FURTHER ORDERED** that plaintiff’s motion for appointment of counsel is **DENIED as moot**. [ECF No. 3]

A separate Order of Dismissal will accompany this Opinion, Memorandum and Order.

Dated this 28<sup>th</sup> day of March, 2025.

  
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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE